

EXHIBIT B

From: Wedgworth, Peggy <pwedgworth@milberg.com>
Sent: Wednesday, March 04, 2020 9:50 AM
To: Aundrea K Gulley; Dorris, Daniel V.; SERVICE-EXTERNAL-DMS-MDL
Cc: Miller, Britt M.; Reynolds Team
Subject: [EXTERNAL] RE: In Re DMS: Follow up to M&C and Joint Request for Conference
Attachments: MDL 2817 - Joint Motion for Status Hearing Plaintiff edits.docx

Andi and Britt,

Thank you for the meet and confer. The below summarizes what we understand to be our respective positions.

Plaintiffs' proposal is outlined in Peggy's email of March 2, 2020. To be clear, this is our counterproposal to the proposal in Andi's February 25 email. That proposal is:

- On the briefing page limits, we have proposed a 100 / 100 / 50 split per side (i.e., Plaintiff and Defendant), all-inclusive of claims and counterclaims.
- For the 56.1 statements, we have offered a 240-paragraph / 120-paragraph split per side (i.e., Plaintiff and Defendant), all-inclusive of claims and counterclaims.

Defendants' proposal is outlined in Andi's email of February 25, 2020. That proposal is:

- On the briefing page limits:
 - With respect to Defendants' affirmative summary judgment motions on Plaintiffs' antitrust claims, Defendants propose a 240 / 240 / 120 page split.
 - With respect to the counterclaims, Reynolds's affirmative brief (already on file) is the only one on Defendants' side. Under Defendants' proposal, Authenticom would have up to 30 pages for its opposition and Reynolds would have 15 pages for its reply. As to Plaintiffs affirmative summary judgment motions on Defendants' counterclaims, Defendants propose a 120 / 120 / 60 page split.
- On the statement of facts, Defendants propose a 240/120 split on the "common issues" and then separate statements of facts for each individual case, as laid out in Andi's email.

On our call, the parties reached a tentative agreement to make simultaneous submissions to the Court of no more than five pages, by 5 PM CST this Friday (March 6). The parties will attempt to get a hearing before Judge Dow on Tuesday, March 10. Britt also represented she would respond to Dealers' letter today regarding whether CDK is pursuing breach of contract counterclaims against dealers.

We intend to present our proposal to the court unless CDK and Reynolds have another proposal for us to consider. We agree to the proposed submission [process](#) to the Court today with our edits in the attached document.

Thanks,
Peggy and Dan

Peggy Wedgworth, Esq.

Partner



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From: Aundrea K Gulley <agulley@gibbsbruns.com>

Sent: Tuesday, March 3, 2020 9:29 PM

To: Wedgworth, Peggy <pwedgworth@milberg.com>; Dorris, Daniel V. <ddorris@kellogghansen.com>; SERVICE-EXTERNAL-DMS-MDL <SERVICE-EXTERNAL-DMS-MDL@lists.kellogghansen.com>

Cc: Miller, Britt M. <BMiller@mayerbrown.com>; Reynolds Team <ReynoldsTeam@gibbsbruns.com>

Subject: In Re DMS: Follow up to M&C and Joint Request for Conference

Dan and Peggy,

As a follow up to our call today, and in light of the Court's available near term hearing dates, Defendants propose filing a short joint request for a status conference tomorrow that would allow us to set the hearing for Tuesday, March 10. (Tomorrow is the last day we could file a motion and have it set for March 10). Specifically, we propose filing the attached draft "Joint Motion for Status Conference." Please let us know if this is acceptable.

Thank you,
Andi

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